

NORTH KOREAN HUMAN RIGHTS: AN UPDATE

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THE GLOBAL ENVIRONMENT
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THURSDAY, MARCH 1, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA, THE PACIFIC,
AND THE GLOBAL ENVIRONMENT,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:06 p.m. in room 2172, Rayburn House Office Building, Hon. Eni Faleomavaega (chairman of the subcommittee) presiding.

Mr. FALEOMAVAEGA. The subcommittee hearing will come to order. I am sure that my good friend, the distinguished ranking member is on his way, and should be here any second. In the meantime, I am going to begin the hearing, and certainly appreciate the presence also of one of our distinguished senior members of the committee, the gentleman from California, Mr. Royce.

On behalf of the subcommittee, I would like to welcome Mr. Jay Lefkowitz, who serves as Special Envoy for North Korean Human Rights, a position to which he was appointed by President George Bush pursuant to the North Korean Human Rights Act of 2004. Mr. Lefkowitz is also a senior partner in the law firm of Kirkland & Ellis. Previously to that, Mr. Lefkowitz served as Deputy Assistant to the President for domestic policy and general counsel to the Office of Management and Budget for President Bush.

He was also Director of Cabinet Affairs and Deputy Executive Secretary to the Domestic Policy Council for the President. In 2004 Mr. Lefkowitz was appointed to be a member of the U.S. Delegation to the International Conference on Anti-Semitism in Berlin, Germany, sponsored by the Organization for Security and Cooperation in Europe. Mr. Lefkowitz also serves as a member of the U.S. Delegation to the United Nations Human Rights Commission in Geneva, Switzerland.

Mr. Lefkowitz did his undergraduate law studies at Columbia University, and I welcome you, Mr. Lefkowitz. At this time if my good friend and the author of the North Korean Human Rights Act of 2004, one of the founding stalwarts of giants in passing this very important legislation, my good friend the gentleman from California, Mr. Royce, if he has an opening statement.

Mr. ROYCE. Mr. Chairman, I will give a brief opening statement, and Mr. Lefkowitz, I certainly welcome you, and I wanted to share with you, Mr. Lefkowitz, I have taken a number of trips to the peninsula, and had an opportunity to talk in Korea to many people who survived their experiences in some of these work camps, and one of the memories that brings back to me is when I was very

young my father who had served in the Second World War and had taken photographs when Dachau was liberated, took pictures there of what he found that day, and he now goes out and speaks about it on campuses.

The photographs which some of the survivors of these war camps have shown me of emaciated individuals basically in striped pajamas are so eerily reminiscent of the photographs that I saw as a child when I snuck into his Army trunk and opened it up and looked at copies of the pictures that he had taken at Dachau that I find it absolutely, absolutely horrific.

And when I talked with one of the senior defectors, he had been the minister basically of propaganda, he told me actually close to 2 million people perished by starvation because the regime was putting the money into a military buildup rather than feeding the people. And you know human rights in North Korea remain abysmal. There is no improvement. The gulags still operate. Political executions are commonplace. I talked to people who lost loved ones as a result. North Koreans remain oppressed in every manner possible.

I was very pleased to read some of the op eds—and I have read some of your work too—in which concerns have been raised about the Kaesong Industrial Complex, and I just want to talk about that for a minute. North Korea laborers are not benefitting from this investment. The regime is. They are not being paid. The regime is being paid. They are basically work gangs, and I have counseled the administration to hold firm and reject the South Korean push to include Kaesong made goods in the Free Trade Agreement.

I am for the Free Trade Agreement but not with that provision in it for North Korea, for the regime and not for the North Korean people. As I say, I have chaired the United States interparliamentary exchange with South Korea for a number of years, and this is just a non starter for me, and I think something has to be done about it.

Yesterday the full committee heard testimony from Chris Hill, our Chief Six-Party Talks Negotiator, and I am a bit uncomfortable with the symbolism of us treating human rights separately. I will let you know that. I look forward to hearing today about human rights, and how they are going to be a factor hopefully in the Six-Party Talks.

Whatever the fate of the talks—and there are many reasons to be skeptical—we have got to keep pushing for the human rights agenda. As you know, that did help in making changes to the east bloc, and I think it can make change here. A free North Korea would be far less threatening, and I am pleased that the administration is providing more resources for radio broadcasting to North Korea aimed at freeing the North Korean people. I had authored legislation in the past to expand those broadcasts. We should be doing more for the North Korean refugees too.

And lastly I would like to submit something for the record, Mr. Chairman. I would like to submit a statement by Adrian Hong, the Executive Director of the NGO Liberty in North Korea. Mr. Hong has been working tirelessly to aid North Korean refugees at considerable personal risk. He raises some key concerns over the implementation of the North Korean Human Rights Act. As you know,

by some estimates there are 300,000 North Korean refugees trying to survive in China today, and China is not living up to its responsibilities under the U.N. Convention of Refugees. So without objection if I could submit that testimony.

Mr. FALEOMAVAEGA. Without objection the gentleman's statement will be made a part of the record.

Mr. ROYCE. Thank you, Mr. Chairman.

[The information referred to follows:]

Statement by Adrian Hong

Executive Director, Liberty in North Korea (LiNK), www.LiNKglobal.org

Thursday, March 1, 2007

"Last December, our field workers had moved to help 6 North Korean refugees from our underground shelters in China seek asylum. These refugees were judged to be high-risk; two orphan teenagers, a young 22 year old woman, and three older women. Many of the refugees have chronic injuries and illnesses. One of the refugees is mother of a North Korean refugee now resettled in the United States. During our underground railroad operation, our refugees and their escorts made the dangerous trek to the United States Consulate in Shenyang without incident, although not without several very close calls.

Upon arrival in Shenyang, I notified the authorities at the Consulate of our identities and intentions, to seek asylum and protection for these NK refugees. I took extensive measures, as always, to remain discrete, speaking over safe phone lines and using words and phrases that would signal our situation to educated Consular staff, but not to an eavesdropper. As the group waited a few hundred feet from the main gate of the US Consulate, in view of the United States flag and gates, I was told that someone would call me back.

A while later I received a call from a gentleman who identified himself as a member of the US Consulate. He referred to me by name, and said that they could not accept us, and that they suggested for us to "take the North Korean refugees and go to the UNHCR in Beijing." It goes without mention that US posts are subject to intense electronic surveillance, and sure enough, a short while later large numbers of Chinese authorities and police began to show up in the vicinity of our location.

I moved the refugees to a more discreet but still very close location, and called into the US Embassy in Beijing. I was told in very strong, scolding terms, that I had jeopardized the lives of the refugees, and that China's Public Security Bureau had informed the US and other nations with posts in the area that North Korean refugees were seeking entrance to their compounds. I responded that the refugees took the calculated risk to seek asylum with the United States because their situation was already very dangerous, and that the Chinese authorities had likely been alerted by the irresponsible and indifferent actions of the US post in Shenyang. I spent quite a bit of time on the phone pleading with the officer in question. At that point we were literally less than 100 feet away from the main entrance to the Shenyang post- it would have been a simple matter for any consulate official to step out and wave our refugees in, past the Chinese authorities, as is done for many visitors to the Consulate.

The officer continued to refuse and redirect us to the UNHCR in Beijing, despite my pleas, and we had no choice but to head towards Beijing. En route, our 6 refugees and their 2 American escorts were apprehended, and I was detained in Beijing. The group was imprisoned in Shenyang. Our LiNK workers were released and deported to the United States after 10 days; our refugees are still in Chinese custody today.

It is deplorable that the Chinese government continues to actively hunt down, imprison and repatriate North Korean refugees, in violation of their obligations under international law. It is further reprehensible that underground activists remain in prison to this day, for the "crime" of helping North Korean refugees. But that is China.

I have confidence that underground networks can rescue thousands of North Korean refugees, if only they had a nation willing to accept them. **It is absolutely unacceptable and shameful** that a United States post will turn away legitimate asylum seekers, especially those that are targeted for capture and repatriation by local authorities. These and other refugees and their guides take tremendous risk upon themselves, with their hopes placed on the principles of the United States, and the North Korean Human Rights Act. That they are turned away, literally at the gates, and sent elsewhere is a betrayal of American principles, and perhaps laws.

My experiences in December showed me that three years after the North Korean Human Rights Act has passed, nothing has changed on the ground for North Koreans. Refugees are being turned away from the gates of US posts and sent to the UNHCR in Beijing - a dangerous journey that very few manage to make without capture. Funding for NGOs and underground workers has not been released; and less than a paltry three dozen North Korean refugees are now resettled in the United States. Our own refugees that I personally escorted to US custody last October arrived just last week - nearly four months after they had been accepted! It is my understanding that delays on their arrival here were not from the Chinese, but from our own State Department.

We have a tremendous opportunity here to save thousands of refugees and effect real change for human rights and liberties for North Koreans. It is with regret that I say that despite our high rhetoric and the promises we have made to these people with no other advocate in the world, I believe the United States is squandering that opportunity. Unless our State Department and this Administration is held to account for its lack of action for these people, it will continue to be that way.

So long as this government continues to drag its feet on bringing about real, tangible change on this issue, the North Korean Human Rights Act will simply be a paper tiger, and no government or leader in the world will take US policies and rhetoric about North Korean human rights seriously. If we have not followed through with our actions before, why would we in the future?

The United States can effect tremendous change in the world on this single issue, and hold the Chinese and North Koreans to account for their treatment of the North Korean people. The lives of hundreds of thousands of refugees, and millions of North Koreans who remain inside the DPRK, are at stake. We are hopeful of the day when the United States sees their welfare and liberty as a real priority, because we are already very late.

Mr. FALEOMAVAEGA. I purposely withheld giving my opening statement with the hope that my good friend, the distinguished ranking member, would be here so that he will have an opportunity to listen and hear what I have to say concerning the issue, and now that he is here the gentleman from Illinois, I will proceed.

Since 1946 when the Soviet Union placed Kim Jong Il's father in power, North Korea has maintained a totalitarian regime based on Stalin's system. North Koreans have no freedom of expression or movement. No dissent of Kim Jong Il is allowed. Most North Koreans have no access to media sources other than the official media.

Severe physical abuse is meted out to citizens who violate laws and restrictions. An important component of Kim Jong Il's system

is the North Korean elite class. The largest estimate of the elite class is nearly 6 million out of some 23 million people that make up the population of North Korea. The elite have access to food, business opportunities, and luxury goods while millions in North Korea are starving.

While the Bush administration has given priority to the nuclear issue, not so much attention it seems to me has been paid to human rights. In fact, the administration has proposed no negotiations with North Korea over human rights but has asserted that human rights is one of the several issues to be settled with North Korea after the nuclear issue is resolved.

For now the Six-Party Agreement of February 13 calls for the United States and North Korea to start bilateral talks aimed at resolving bilateral issues and moving toward full diplomatic relations. I will be interested in hearing from our witness if this means beginning discussions about human rights as well, and if so, what will the role of the Special Envoy be if Six-Party Talks include this important topic?

I would also like to know how the Bush administration plans to address the unresolved issues of Japanese citizens kidnapped by North Korean officials. How concerned is Japan if the administration might agree to move North Korea from the terrorism list even though the kidnapping issue has not been settled? Also, given that China and South Korea believe that diplomatic relations with North Korea should be established once the nuclear issue is resolved, even though the United States believes otherwise, would a United States Embassy and United States ambassador in North Korea influence the human rights situation in North Korea?

What about North Korea's prison camps? The U.S. Committee for Human Rights in North Korea published a report which describes a system of concentration camps that houses some 150 to 200,000 inmates including many political prisoners. Reports cite harsh conditions, executions and tortures.

Finally, there is the issue of North Korean refugees. The State Department estimates that between 30 to 50,000 North Korean refugees live in China. It is my understanding that China considers the North Koreans to be illegal economic immigrants, and does not allow the North Koreans to apply for asylum. There are also some suggestions that China punishes those who attempt to defect to South Korea.

The State Department reports that North Korean women are trafficked for sexual exploitation and forced marriages with Chinese men while North Korean men are trafficked for forced labor. Congress has attempted to take action by passage of the North Korean Human Rights Act of 2004. The question is: Where are we now, and is this legislation being effectively implemented given that the legislation authorizes up to \$20 million annually for assistance?

To my knowledge, a total of about 30 North Korean refugees have been brought to the United States. I am sure there are many factors influencing why this number is so low, and I look forward to hearing from our witness regarding this point. Again, I do welcome our Special Envoy, Mr. Lefkowitz, and I thank him for taking time from his busy schedule to be with us this afternoon, and now

I recognize our distinguished ranking member from Illinois for his opening statement, Mr. Manzullo.

[The prepared statement of Mr. Faleomavaega follows:]

PREPARED STATEMENT OF THE HONORABLE ENI F.H. FALEOMAVAEGA, A REPRESENTATIVE IN CONGRESS FROM AMERICAN SAMOA, AND CHAIRMAN, SUBCOMMITTEE ON ASIA, THE PACIFIC, AND THE GLOBAL ENVIRONMENT

Since 1946 when the Soviet Union placed Kim Jong-il's father in power, North Korea has maintained a totalitarian regime based on Stalin's system. North Koreans have no freedom of expression or movement. No dissent of Kim Jong-il is allowed. Most North Koreans have no access to media sources other than the official media. Severe physical abuse is meted out to citizens who violate laws and restrictions.

An important component of Kim Jong-il's system is a North Korean elite class. The largest estimate of the elite is nearly 6 million, or 30 percent of the population. The elite have access to food, business opportunities, and luxury goods while millions in North Korea are starving.

While the Bush Administration has given priority to the nuclear issue, not so much attention has been paid to human rights. In fact, the Administration has proposed no negotiations with North Korea over human rights but has asserted that human rights is one of several issues to be settled with North Korea after the nuclear issue is resolved.

For now, the Six Party Agreement of February 13th calls for the United States and North Korea to "start bilateral talks aimed at resolving bilateral issues and moving toward full diplomatic relations." I will be interested in hearing from our witness if this means beginning discussions about human rights and, if so, what will the role of the Special Envoy be if Six Party talks include this topic?

I would also like to know how Bush Administration plans to address the unresolved issue of Japanese citizens kidnapped by North Korea. How concerned is Japan that the Administration might agree to move North Korea from the terrorism list even though the kidnapping issue has not been settled?

Also, given that China and South Korea believe that diplomatic relations with North Korea should be established once the nuclear issue is resolved, even though the US believes otherwise, would a US Embassy and US Ambassador in North Korea influence the human rights situation in North Korea?

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The State Department reports that North Korean women are trafficked for sexual exploitation and forced marriages with Chinese men while North Korean men are trafficked for forced labor. Congress has attempted to take action by passage of the North Korean Human Rights Act in 2004.

But the question is, where are we now, and is this legislation being effectively implemented given that the legislation authorizes up to \$20 million annually for assistance but, to my knowledge, only a total of 30 North Korean refugees have been brought to the US. I am sure there are many factors influencing why this number is so low and I look forward to hearing from our witness regarding this point.

Again, I welcome Special Envoy Lefkowitz and I thank him for being with us today. I now recognize the Ranking Member for any opening statement he may have.

Mr. MANZULLO. I would just ask that my opening statement be made a part of the record. I look forward to your testimony.

Mr. FALEOMAVAEGA. Without objection.

[The prepared statement of Mr. Manzullo follows:]

PREPARED STATEMENT OF THE HONORABLE DONALD A. MANZULLO, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Good afternoon and welcome to today hearing on the implementation of the North Korea Human Rights Act. I am pleased to extend a warm welcome to Special Envoy Jay Lefkowitz. This is a good time to discuss North Korea human rights since we just met with Assistant Secretary Hill yesterday. I am interested to hear your assessment regarding the implementation of the North Korea Human Rights Act of 2004.

As I mentioned during yesterday's hearing on the Six-Party Talks, I fully support the Administration's efforts to denuclearize the Korean peninsula. At the same time, I fully recognize that the North has an abysmal record on human rights. The balance between diplomatic and human rights priorities must be difficult given the North's actions. As the Administration continues to negotiate in the Six-Party Talks, I want to emphasize my position that human rights must not be forgotten.

I look forward to your testimony, and I will have some follow-up questions about the implementation of the Act.

Mr. FALEOMAVEGA. I would also like to note the presence of another distinguished member of our committee, my good friend the gentleman from California, Mr. Rohrabacher, who has joined us for this hearing this afternoon. Dana, did you have an opening statement?

Mr. ROHRABACHER. Thank you very much, Mr. Chairman, and let me congratulate you for holding this hearing, and making this so early on into your chairmanship which demonstrates to all of us and should demonstrate to the people of Korea that you hold the human rights issue very high on your agenda, and that you believe especially in Korea that the people there should understand that all of us are concerned about the incredible violation of the rights of the people of North Korea.

In fact, North Korea is the world's—and as far as my calculation and I am anxious to hear from the witness—the world's worst human rights abuser. We should be standing shoulder-to-shoulder with the people of Korea, both North and South, demanding that North Korea become in line with and have humane values and democratic values that treat people decently and do not have the type of repression.

Let me just note this: There is no area in the world that is a starker contrast of the difference between freedom and tyranny than on the Korean peninsula. These very same people in North Korea not only are their lives incredibly regimented and repressed but they are deprived, and they are four inches shorter in average than what the people are in South Korea.

So let us applaud the people of South Korea and the freedom in South Korea. Condemn the North Korean tyranny. And one last note and that is: All of us if we stand together with the people of Korea, Mr. Chairman, the people of South Korea need to stand together with the people of North Korea. That we have so many refugees in China and all the people in North Korea who know if they escape that tyranny that the current Government of South Korea will not permit these fellow Koreans to come to South Korea is a travesty.

And the people of South Korea should demand that Koreans who are fleeing tyranny be permitted refuge in South Korea if nothing else. Thank you very much, Mr. Chairman, and I am looking forward to the testimony.

Mr. FALCOMA. I want to certainly compliment the gentleman's statement in this hearing this afternoon, and in all the years that I have served as a member of this committee there is one person that I would count on when you talk about human rights is none other than my good friend from California, and I want to assure the gentleman that in my capacity as the chairman of this subcommittee that I always will want to work very closely with my distinguished members of the other side of the aisle, and to work on a bipartisan basis because after all, this is not a Republican or Democratic issue.

This is a moral issue that affects all human beings, and I thank the gentleman again for his observation, and we would all like to hear now from Mr. Lefkowitz. Please proceed.

**STATEMENT OF THE HONORABLE JAY LEFKOWITZ, SPECIAL
ENVOY FOR HUMAN RIGHTS IN NORTH KOREA**

Mr. LEFKOWITZ. Thank you, Mr. Chairman, and members of the committee. I cannot help but comment that I am in heartfelt agreement with really all of the sentiments that I have heard this morning from all of you, and I really appreciate the fact that this is a bipartisan representation on the committee. As the chairman said, human rights is not a Republican or a Democratic issue. It is an issue where America ultimately will be tested in the court of public opinion.

I had the privilege of working for President Bush for several years in the White House, and one of the most memorable meetings that I attended was a meeting when the President was deciding whether or not to launch the largest program ever designed to assist the people in Africa and the Caribbean who were suffering from AIDS, and at one point the President simply said, we are too wealthy and too compassionate a nation not to take this step, not to do whatever it takes because otherwise how will history judge us?

Members of the committee, history has judged America well and poorly based on how we have dealt with the sufferings of other people. Sometimes unfortunately we have turned our backs, and oftentimes we have stood strong with people around the world who are suffering, and I think it is testament to this Congress, to this body, and to the President in his administration that we are working together in the pursuit of a better life for the people of North Korea.

I am very pleased to appear once again before the committee to discuss the North Korean human rights situation and our efforts to help the North Korean people. I would like to make some introductory observations about where we have come in the last couple of years, where we hope to go, and touch on a number of the questions, Mr. Chairman, that you asked, and then obviously answer any other questions apart from that.

The promotion of human rights is not just a noble end in itself although it surely is just that but it is also fundamentally something much more. It is a means to a broader foreign policy and national security objective. Modern history has repeatedly demonstrated—most recently in the waning years of the Cold War—that human rights is a means to peace. It is a means to freedom,

and I believe that that can and will be true with respect to North Korea in the coming years.

Since my testimony a year ago, the North Korean Government regrettably has taken no significant steps to improve its abysmal human rights record. Its conduct stands as an affront to its own citizens and to the norms of the international community. It is, I would submit, as Mr. Rohrabacher said, probably the worst human rights abuser in the world. The regime ignores the fundamental prerogative laid out in the Universal Declaration of Human Rights. Many of the human rights abuses in North Korea are all too familiar to the members of this committee but a few points bear repeating.

There are anywhere from 150 to 200,000 North Koreans who live in a vast network of political concentration camps, and let us not sugar coat the conditions in which these people live. They are concentration camps. The rights of free speech, worship, assembly, press, fair trial, the right to emigrate, the basic fundamental rights that we take for granted in the United States and throughout the free world are ignored. The regime conducts mandatory political indoctrination sessions, attempts to control all information, and supports a cult of personality around Kim Jong Il that is reminiscent of the very worst dictators of the 20th century. North Korea has been sanctioned under the International Religious Freedom Act since 2001.

The North Korean Government also has grossly negligent policies that exact a shocking humanitarian toll and put its population at risk of severe mass starvation. We believe that the regime could feed its population if it wanted to but its highly centralized economy fails each year to produce even enough food for the country to subsist and that which is produced is often diverted to support military objectives, and indeed to feed the military not the civilian population.

In the mid-1990s, these policies resulted in a food shortage and a famine that killed an estimated 1–2 million North Koreans and sparked a refugee exodus. According to the World Food Program—and this surprised even me—I just learned last week that the World Food Program director has said that the average 7-year-old North Korean boy is eight inches shorter and 20 pounds lighter, and has a 10-year shorter life expectancy than his 7-year-old South Korean counterpart. That is just a shocking statistic.

While information is limited, we have indications that the food shortage this spring in North Korea could be more acute than it has been since the famine years of the 1990s. Our policy is to separate food aid from policy issues, and we would genuinely like to provide humanitarian assistance to the North Korean people, whether food aid or health care aid or other genuine humanitarian aid.

But as with humanitarian assistance anywhere in the world, we must insist on minimum international standards for monitoring and for distribution in order to ensure reasonably that it reaches those for whom it is intended because humanitarian aid that does not reach the people for whom it is intended does not serve a humanitarian purpose, and it is not worthy of that name, and we sus-

pect, strongly suspect North Korea of diverting foreign assistance to its military, to the elite, and for the black market.

What has changed in the last year is not regrettably the conduct of North Korea with respect to human rights but the response by the United States and other countries to this tragedy. Transforming the situation in North Korea will require pressure from within fundamentally but it will also need strong backing from the international community. Our Government has opened its doors to North Korean refugees. True, not in sufficient quantities yet but there are a lot of hurdles internationally to working with countries in the region to facilitate the movement of refugees.

When President Bush appointed me as his Special Envoy, he made it clear to me that refugees should be my number one priority. It should be the first thing I should try to tackle, and there were a number of barriers—both domestically and internationally—to moving forward but with the cooperation of people from many agencies of our own Government, and with the cooperation of many of our friends and allies in Asia, we have been able to open our doors.

In 2006, in May, the first group of six refugees from North Korea was brought to the United States. We have now, as the chairman said, had many others but far too few given the 50, 100, 150,000 refugees living in northeast China. We do not even know precise numbers.

And while we expect that most North Korean refugees will continue to choose to resettle in South Korea, for obvious reasons and for proper reasons, we impose no quota or limit at all on the number of North Korean refugees we are willing to accept and resettle in the United States. The United States has the highest number of refugee resettlements throughout the world. It is something we are very proud of, and we will continue to demonstrate that leadership when it comes to North Korean refugees.

To encourage a peaceful, long-term transformation, we need to enhance significantly the quantity and quality of information going into North Korea that is not subject to censorship. Voices that are not part of the government's propaganda apparatus can open people's minds and provide encouragement to those who seek freedom. Through means such as radio broadcasting, North Koreans can learn that they do not live in a socialist paradise, and that contrary to the claims of the regime, people who live outside of North Korea actually enjoy a remarkable degree of freedom and prosperity.

Last year the Broadcasting Board of Governors provided increased resources to the Korean services of Voice of America and Radio Free Asia. For the next fiscal year, beginning this October, the administration has requested a significant increase for these services, from \$4.6 million to \$8 million, and along with many other improvements this increase will allow Radio Free Asia to begin transmitting in medium wave which we believe will be a highly effective supplement to its current shortwave broadcasting. I would ask this committee to support this important budgetary request.

Appropriated funds have also contributed partially to broadcasts by independent groups. Some of the most persuasive voices are not those of U.S. Government employees but of private citizens who

can sympathize with those living under repression. These include the voices of Korean democracy activists, defectors from North Korea and Korean Americans. Some Japanese groups have also tried limited broadcast attempts in an effort to reach those abducted in Japan by the North Korean Government.

And for the first time, President Bush's budget requests funds specifically for the promotion of North Korean human rights. We have a \$2 million request in the State Department budget, and when combined with the BBG request that we are making, we are asking Congress for a total of \$10 million in fiscal year 2008 to promote North Korean human rights, and additional funds will also be provided from accounts related to refugees and victims of trafficking in persons. I believe, members of the committee, that we can deploy these funds effectively, and I would ask that you support our request.

Other changes in the last year include a greater focus on North Korean human rights abuses by the international community. In October, the U.N. General Assembly's Human Rights Committee voted 91 to 21 in favor of a resolution on North Korean abuses. I have to say I am aghast that 21 countries could have objected to such a resolution but most significantly and most promisingly, the Government of South Korea abandoned its past practice of abstaining from the vote on this resolution, and it voted in favor.

In addition, the European Parliament passed a resolution addressing North Korea's human rights abuses. We certainly hope that Japan will now take the lead in offering a resolution on North Korea at the U.N. Human Rights Council in Geneva, despite the significant weaknesses of that body. A resolution on North Korea would be a good test case for the Human Rights Council, and indeed we look forward to the leadership of the new Secretary General who certainly understands the human rights abuses in North Korea better than almost anyone on the international stage, and we look forward and call upon him to demonstrate real leadership on this issue.

A direct dialogue with North Korea on human rights has been elusive in the past year. The Governments of North and South Korea invited me twice to visit the Kaesong Industrial Complex, just inside of North Korea above the DMZ, in July and November of last year. I had planned to commence the human rights discussion in the context of that trip. Unfortunately that trip was postponed each time in response to North Korea's aggressive activities. First, a ballistic missile test and then nuclear weapons testing.

In the coming months I intend to seek a human rights dialogue with North Korea. The February 13 agreement reached in the Six-Party Talks creates five working groups, one of which will involve discussions on the normalization of our relations, and as I have said repeatedly, if the North Korean Government wants to be seen as legitimate by the international community—and certainly by the United States—it will have to make progress on human rights.

We believe a discussion on human rights should take place prior to a full normalization of relations. This administration remains committed to this cause. It is an issue of particular importance to President Bush, and one which he speaks about frequently.

Last April in a one-on-one meeting with Chinese leader Hu Jintao the President expressed his grave concern about China's treatment of North Korean refugees. Just 4 weeks earlier the White House had expressed its serious concern with China's treatment of a specific North Korean refugee, Kim Chun-Hee, a young woman thought refuge in a Korean school in Beijing only to be returned forcibly to North Korea by the Chinese Government despite being implored by the United States and other governments and the United Nations to protect her.

The week after President Hu's visit to Washington, President Bush met in the Oval Office with defectors from North Korea and a Japanese family whose daughter was abducted by North Korea. It was one of the most moving meetings that I have ever participated in. We plan to continue our diplomacy and our communication efforts, and to expand our support to the NGOs and to those programs that we believe will have a positive effect.

Our strategy is to support the aspirations of the North Korean people, to attempt to alleviate their suffering, and to build an international consensus that North Koreans and that the North Korean Government must begin to recognize the rights of its own citizens. I thank you very much, Mr. Chairman, other members of this committee for your activities in this effort. It is a critical, critical issue on which the soul of the United States will be tested, and I commend you for your bipartisan leadership on this important issue.

[The prepared statement of Mr. Lefkowitz follows:]

PREPARED STATEMENT OF THE HONORABLE JAY LEFKOWITZ, SPECIAL ENVOY FOR
HUMAN RIGHTS IN NORTH KOREA

I am pleased to appear once again before the Committee to discuss the North Korean human rights situation and our efforts to help the people of North Korea. Few would doubt that working to secure for all North Koreans the inalienable and fundamental rights that we possess is work toward a worthy and noble end. But the promotion of human rights is not just a noble end in and of itself. It is something much more. It is also a means to a broader foreign policy objective. Modern history has repeatedly demonstrated that the human rights is also a means to peace, and I believe this is true in regard to North Korea.

Since my testimony last April, the North Korean government regrettably has taken no significant steps to improve its abysmal human rights record. Its conduct stands as an affront to its citizens and also to the norms of the international community. The regime ignores the fundamental prerogatives laid out in the Universal Declaration of Human Rights, which are recognized by the majority of the society of nations.

Many of the human rights abuses in North Korea are all too familiar to members of this Committee, but certain points bear repeating. There are an estimated 150,000 to 200,000 North Koreans in a vast network of political concentration camps. The rights of free speech, worship, assembly, press, fair trial and emigration are ignored. The regime conducts mandatory political indoctrination, attempts to control all information, and supports a cult of personality around Kim Jong Il that is reminiscent of the worst dictators of the 20th century. North Korea has been sanctioned under the International Religious Freedom Act since 2001.

The North Korean government also has grossly negligent policies that exact a shocking humanitarian toll and put its population at risk of mass starvation. The state's highly centralized economy fails each year to produce even enough food for the country to subsist. Nonetheless, we believe the regime could feed its population if it wanted, but instead squanders revenue and foreign assistance on a massive military, weapons development and a small but pampered elite.

In the mid-1990s, these policies resulted in a food shortage and famine that killed an estimated 1-2 million North Koreans, and sparked a refugee exodus. According to the World Food Program, the average 7-year-old North Korean boy is eight inches shorter, 20 pounds lighter and has a 10-year-shorter life expectancy than his 7-year-old counterpart in South Korea. While information is limited, we have indications

that the food shortage this spring in North Korea could be more acute than it has been since the famine years of the 1990s. Our policy is to separate food aid from policy issues, and we would like to provide humanitarian assistance to the North Korean people, regardless of any political differences that exist between our governments. However, as with humanitarian assistance anywhere in the world, we must insist on minimum international standards for monitoring aid distribution, in order to ensure reasonably that it reaches those for whom it is intended. We suspect North Korea of diverting foreign assistance to its military, the elite, and the black market.

What has changed in the last year is the response by the U.S. and other countries to this human rights and humanitarian tragedy. Transforming the situation in North Korea will require pressure from within, but it will also need strong insistence on reform from the international community.

Our government has opened America's doors to North Korean refugees. When President Bush appointed me as his Special Envoy, he directed that this should be my highest priority. In May, 2006, the first group of 6 North Korean refugees was brought to the U.S. We have now resettled a total of 18 refugees, and we expect this rate to increase. While we expect that most North Korean refugees will continue to choose to resettle in South Korea, we impose no quota or limit on the number we are willing to accept. With the highest number of refugee resettlements worldwide, America continues to demonstrate its leadership as a refuge for the oppressed.

To encourage a peaceful, long-term transformation, we need to enhance significantly the quantity and quality of information going into North Korea that is not subject to censorship. Voices that are not part of the government's propaganda apparatus can open peoples' minds and provide encouragement to those who seek freedom. Through means such as radio broadcasting, North Koreans can learn that they do not live in a 'socialist paradise,' and that contrary to the claims of the regime, people who live in freedom can enjoy a remarkable degree of prosperity.

Last year, the Broadcasting Board of Governors (BBG) provided increased resources to the Korean services of Voice of America and Radio Free Asia. For the next fiscal year beginning this October, the Administration has requested a significant increase for these services, from \$4.6 to \$8 million. Along with many other improvements, this increase will allow Radio Free Asia to begin transmitting in medium wave, which we believe will be a highly effective supplement to its current shortwave broadcasting. I ask the Committee to support this important increase.

Appropriated funds have also contributed partially to broadcasts by independent groups. Some of the most persuasive voices are not those of U.S. government employees, but private citizens who can sympathize with those living under repression. These include the voices of Korean democracy activists, defectors from North Korea, and Korean-Americans. Some Japanese groups also have limited broadcasts that attempt to reach those abducted in Japan by the North Korean government.

For the first time, the President's budget requests funds specifically for the promotion of North Korean human rights: specifically \$2 million the State Department's request. When combined with the aforementioned BBG programming, we are asking the Congress for a total of \$10 million in FY2008 to promote North Korean human rights. Additional funds will be provided from accounts related to refugees and victims of trafficking in persons. I believe we can deploy these funds effectively and I ask that you support this request.

Other changes in the last year include a greater focus on North Korean human rights abuses by the international community. In October, the UN General Assembly's human rights committee voted 91-21 in favor of a resolution on North Korean abuses. Most significantly, South Korea abandoned its past practice of abstaining from the vote on this resolution, and voted in favor. In addition, the European Parliament passed a resolution addressing North Korea's human rights abuses. We hope that Japan will take the lead in offering a resolution on North Korea at the UN Human Rights Council in Geneva, despite the weaknesses of that body.

A direct dialog with the North Korean government on human rights has been elusive in the past year. The governments of North and South Korea invited me to visit the Kaesong Industrial Complex, which is inside North Korea just above the demilitarized zone. I had planned to commence a human rights discussion in relation to that. However, this trip was postponed twice in response to North Korean ballistic missile and nuclear weapons testing.

In the coming months, I intend to seek a human rights dialog with North Korea. The February 13 agreement reached in the Six Party Talks creates five working groups, one of which will involve discussions on the normalization of our relations. As I have said repeatedly, if the North Korean government wants to be seen as legitimate by the international community, it will have to make progress on human

rights. We believe a discussion on human rights should take place prior to a full normalization of relations.

The Administration remains committed to this cause. This is an issue of importance to President Bush. Last April, in a one-on-one meeting with Chinese leader Hu Jintao, the President expressed his concern about China's treatment of North Korean refugees. Just four weeks earlier, the White House expressed grave concern with China's treatment of a specific North Korean refugee, Kim Chun-Hee. Ms. Kim sought refuge in a Korean school in Beijing only to be returned forcibly to North Korea by the Chinese despite being implored by other governments and the UN to protect her. The week after President Hu's visit, President Bush met in the Oval Office with defectors from North Korea and a Japanese family whose daughter the North Koreans abducted.

We plan to continue our diplomacy and communications efforts, and to expand our support to NGOs and programs that we believe will have a positive effect. Our strategy is to support the aspirations of the North Korean people, attempt to alleviate their suffering, and build an international consensus that the North Korean government must begin to recognize the rights of its citizens.

Mr. FALEOMAVAEGA. Thank you for a most eloquent statement. I do have some questions but I would like to give this opportunity to my good friend from California for his questions.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. Considering we have a vote on now, I will try to be very quick. The idea of the diversion of humanitarian aid if we are to provide humanitarian aid, any humanitarian aid to North Korea, and I believe that starving people and people who are dying of illnesses because of malnutrition, wherever they are, certainly we should want to reach out to them. But is there not a lot of evidence now that some of the largesse that we have offered to the people of North Korea has been diverted from them by their own Government?

Mr. LEFKOWITZ. I think there is certainly evidence of diversion. I believe that it is critical that we try to provide humanitarian aid but we have to insist on the humanitarian aid being monitored tightly and strictly so that we can ensure that it is received by the people who need it, and frankly one of the real problems that we have had is that when some of the other countries in the region provide unrestricted aid in significant quantities it makes the aid that we want to provide less relevant, and as a result the people who need the aid do not get it from the former donors, and we do not have the leverage to exact the conditions.

Mr. ROHRABACHER. In the end, if we do not demand on this type of accountability we are actually doing more damage because we actually end up putting more power in the hands of the elite and the military rather than food in the mouths of the people, and, Mr. Chairman, I hope that we will follow up on that and be very careful on how we watch over that situation.

You mentioned the Kaesong Industrial Complex. Is this not just being set up as a means to exploit even further the poor people of North Korea so that businessmen—not only in South Korea but elsewhere—can come in and virtually use them as slave labor?

Mr. LEFKOWITZ. I think it may well have in many respects that effect. I do not know that that is why it was set up certainly by both parties. I cannot speak for what the motivation of the North Korean regime is, and certainly anything they do in this area is suspect but—

Mr. ROHRABACHER. But the end result is that you have North Korean people working almost as slaves, and their pay is going not to themselves but to the government, and they get a pittance left

over. I would hope, Mr. Chairman, that we see to it that not one item, not one item manufactured in this complex is able to be imported into the United States.

And very quickly one last point about the idea of refugees. I certainly am proud of the fact that the United States takes in as many refugees as we do. I again would join with my colleagues in calling upon the Government of South Korea. If they want us to stand together with them for freedom and to try to make the world better, they have got to at least be loyal to their fellow Korean people who live under tyranny in North Korea.

Those North Koreans who escape the tyranny of the North should know that their fellow Korean people care about them, and the fact that the South Korean Government has been restrictive of those people coming into their country—and I talked directly to the leadership there in South Korea today, and they did not have any apologies about not permitting this to happen. I was aghast, and so let us with a strong voice emphasize that we expect that those North Koreans who are refugees be taken care of. Let us do our part but the people in South Korea have to demand that their government step up and do its part. If not, it really is a travesty.

Mr. LEFKOWITZ. If I can respond. First on the Kaesong point, I certainly think that an economic project like Kaesong certainly has the potential to lead to a real opening with North Korea and to enhance the freedom for people in North Korea and give them exposure to the outside world, but I think as with anything that takes place in North Korea we have to verify, and my interest in going to visit that site and to talk to the people there and to do it in a very unrestricted way is to learn whether or not the Kaesong project is being used for positive objectives or as you suggest really just providing a cheap source of labor.

With respect to refugees, I think certainly the voice of this committee speaks eloquently. I think the other half of the equation is the Chinese Government. The South Korean Government actually does take quite a number of refugees every year, and is certainly working cooperatively with us to help facilitate the movement of those North Korean refugees who want to come to the United States.

But the fact that the Government of China is not honoring its international commitments, is not providing genuine access as it is required to the U.N. High Commissioner on Human Rights, I think is really the single most significant issue we have outside of the North Korean Government's own emigration policies that is a barrier now to the free movement of people in that region.

Mr. FALEOMAVAEGA. If my good friend would forebear with us, we have a vote in about 6 minutes, and one of the privileges now allotted to such humble delegates as myself—much to the dismay of my distinguished friends from the other side of the aisle—I now have the privilege of casting a symbolic vote on the floor of the House, and I would ask if you could please—I have many questions I want to raise with you—if you could just give me about 5 or 6 minutes?

Mr. LEFKOWITZ. Absolutely.

Mr. FALEOMAVAEGA. And I will be right back to continue this.

Mr. LEFKOWITZ. Okay.

Mr. FALEOMAVEGA. We will be in recess.

[Recess.]

Mr. FALEOMAVEGA. I want to again extend my sincere apologies to Mr. Lefkowitz for the obstruction if you will but I thank you for your patience. I suppose you might say that this is the uniqueness of American democracy where we from the legislative side have an opportunity to debate and discuss issues that concern the interests of our national government, and this is part of the process, and again I really, really appreciate your patience.

I want to thank you again for your statement, and some of the observations that my colleagues and the committee have already raised some questions and concerns about the situation in North Korea. Probably no other country in the world maybe among the two countries in the world that have raised so much questions internationally, if you will, and it seems that the nuclear issue is always the upper most concern by our national leaders as well as the leaders of other countries and especially the Asia-Pacific region.

On the question of the World Food Program as you said it always seems to be the classic question that has gotten even some of the members of this committee and Members of Congress, food versus the extent of the authority of the administration of aid that is given to a country like North Korea where always the government is the one that controls the issuance of food items especially as it is supposed to go to the people of North Korea, and I wanted to ask you—and it is always the question—what can we do here in the Congress to give assurances that the government and the leaders of North Korea will be in compliance with the fact that when we send food items or aid items that—especially commodities of food—that it should go to the people and not by way as it has been suggested by others and say that only the elite and the army are the ones that are fed and leaving the rest of the people of North Korea near starvation?

And I would like to hear what may be your recommendations on how we could alleviate this problem. But in a closed society and the situation the way it is, I would welcome your suggestions as to how we might overcome this issue.

Mr. LEFKOWITZ. Mr. Chairman, I think that part of the problem is that it lies outside of our own control. To the extent that other countries—even if they are fueled by the best of intentions—provide unrestricted aid to North Korea, to the extent that the North Korean regime diverts that aid for its elite and its military, it may have no real interest in additional international aid because we know it does not care much for its own population.

So I think part of the challenge for us is to continue to build an international consensus, and then act in unison with our partners. Obviously the U.N. can play a very strong role in facilitating that, and certainly when we contribute to international agencies like the World Food Program, I think it is incumbent upon us to make very, very clear under what conditions we will make those donations, and obviously Congress has a very important and direct role to play whenever we are appropriating funds.

So I think there is work that we can do directly, and I think there is work that we can try to do through the powers of diplomacy and working as we are trying in this area to work multilater-

ally but I think it is important—as you pointed out—that the human rights issues always be elevated and make part of the overall dialogue.

Mr. FALCOMA. And you did state it quite correctly, for which I agree, that two basic categories of food aid and the policy issues for which our committee held a hearing where Assistant Secretary Chris Hill reported on the latest results of the Six-Party Talks, and this framework of an agreement that was made with North Korea.

And I raised the question with Secretary Hill: What prompted the North Koreans to have such a dramatic shift of their whole negotiation posture for all these years that we have always wondered? They have exploded a nuclear device. They have become very well in conducting their missile testings, and that just about fulfills their sense of being a member of the nuclear club.

But then with the outcome of the recent results of the Six-Party Talks, what do you think motivated the North Korean leaders to take an about face change of their whole attitude looking at now obviously for economic purposes more so than saying that they have got the bomb, they have got the missiles? Of course you cannot eat bombs and missiles. But I would ask you, what may be your observation and see why the shift, a dramatic shift, on how they have negotiated for these things for all these years.

Mr. LEFKOWITZ. Well there certainly appears to have been a significant shift, and obviously the proof will be in the pudding. We will see really in a very short period of time what the bona fides are. But I think that the pressure that the international community has brought to bear over the last year, the really uniform probatation by the international community over the increasing nuclear belligerence by the regime, and the fact that we were able to work in a multilateral framework bringing China very significantly to the table, along with Japan and South Korea.

And the full Six-Party apparatus I think really woke the North Koreans up, and made them really realize that they were in danger of genuine isolation, and even a powerful regime and an authoritarian regime like the North Koreans I think have to recognize that their power in many respects is really illusory because it does not flow from the wellspring of any popular support, and as some of their international funds were being restricted, I think there was probably some real concern by the leadership there about their own continued vitality.

Mr. FALCOMA. On our recent visit to South Korea where we held a parliamentary conference there and I recall that one of the comments made by one of the parliamentarians from South Korea saying that you are our friends, referring to the United States, but the North Koreans are our brothers and sisters. What is your observation? I realize that the Sunshine Policy has always been up and down, and I was not quite sure where exactly the Bush administration stood on this for which I for one certainly support the Sunshine Policy.

I did look at the ideologies of the political, economic. I am looking at the fact that these are the same people, same blood, same families, and being separated I suppose for all these years, do you think

that the Sunshine Policy is still relevant given the fact that we have made a breakthrough with the February 13 agreement?

Mr. LEFKOWITZ. Well, I have always thought that a genuine Sunshine Policy would be a policy designed to let the sun shine in and give real exposure to what is going on in North Korea, and let the North Korean people see the sunlight outside of North Korea. To me that would be a genuine Sunshine Policy. I am somewhat baffled by the fact that sometimes the Government of South Korea—even though it has achieved an incredible amount of prosperity and genuine democracy over a relatively short period of time—has not been more forthcoming in terms of supporting some of our objectives in the region.

I think there certainly have been signs of improvement, and I have applauded the Government of South Korea for joining in the resolution at the United Nations this past fall but I think that the real objective here for us is to help open up the North Korean society, and to do that we need to be able to broadcast, to alert the people to what is going on. When you meet with North Korean defectors—even folks who have been highly placed in the North Korean military—what they often tell you is their first awakening came from listening to radio, listening to South Korean radio and understanding that there really was a world outside of North Korea.

Mr. FALEOMAVAEGA. My friend from California. I know he has got to go back to the floor to vote. I have already voted four times. So I would like to give my good friend a chance to raise some more questions before he has to go back and vote. Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. I appreciate that very much, and I was going to make the point that we hope this nuclear agreement goes through. It may not. Either way we should be pressing on human rights in these international forums, and I would just like to add that I have co-chaired the International Parliamentarians Coalition on North Korean Human Rights. We have European members, Korean members, Mongolian, Japanese, American, and part of our focus is what we can do in the international community.

You talked a little bit about the radio broadcasts which I co-authored legislation to do that. There is support for refugees which is something we are working on but what else can we do? And specifically, I noticed you are working a Special Envoy, Mr. Lefkowitz. You are doing this part-time.

I am wondering about ramping that up because I noticed when Ambassador Hill was going to Pyongyang that trip he was going to go with you and that got scuttled. And I want to see what kind of progress we are making to get you on that flight so that you can travel with him and engage and ramp up your role on human rights. I think you do a very good job on that front. So let us hear about other things that we could be doing.

Mr. LEFKOWITZ. Well I think a lot is obviously going to depend on how we proceed on the normalization track as an aftermath to the Six-Party Agreement, and I obviously take direction from the Secretary and from the President in terms of priorities and objectives and also methods, and I will be speaking with them in the very near future, consulting about next steps.

Chris and I have a regular dialogue, and I think we had talked quite some time ago about traveling to the region together to focus on these broad basket of issues, and I think now that we are moving into the aftermath of this agreement there will be a much greater opportunity and receptivity by the North Koreans to enter into this type of dialogue. And I think the sine qua non for normalization frankly is going to have to be a recognition that human rights is a critical and legitimate issue for dialogue.

Mr. ROYCE. Well the bar has not been set that high. I mean when we look at the statement we believe a discussion on human rights should take place prior to a full normalization or relations. In the bureaucratic world, a belief that a discussion on human rights should take place—especially a discussion with North Koreans—is about as low a bar for normalization as you could get. So I just want to make certain that you are engaged front and center in this, and I want to also make absolutely certain that your role as I say ramped up, and I wondered if you had travel plans in the near future on this front.

Mr. LEFKOWITZ. I am not prepared to announce dates for travel but I am planning to travel to the region, and as I said in my opening statement, even prior to the developments in the Six-Party Talks I had been invited by both Governments of North and South Korea to visit Kaesong, and I had planned on making that an entree for some direct dialogue on human rights. We will either proceed along those paths or in connection with the Six-Party.

Mr. ROYCE. Well let us see if we cannot get things set so that instead of basically pressing people into servitude to work that they can actually get a check. The North Korean workers will actually get a check rather than the check be sent to the government. This is unique in the world, and I do not know of any other system where the check does not go to the workers but instead goes to the government.

Last question. I want to be direct about this. How easily are you acquiring refugee information within the State Department? I want to know if bureaucratic barriers exist that hinder you from getting the best information about what is happening on the ground in China. I really want to know more. It seems that when we go to the region we learn an awful lot from refugees, and yet we do not hear a lot of that or we do not read a lot of that in the newspapers until we get on the ground out there. I want to know about the State Department and how they are doing in terms of acquiring that information.

Mr. LEFKOWITZ. I have spent several years in government really cutting through bureaucracy.

Mr. ROYCE. Yes, sir.

Mr. LEFKOWITZ. And I have actually found on this issue—and I would not say that about all issues—but on this issue a great deal of information flow within the Department. I have very close relationships and dialogues with the individuals who run the PRM Bureau, and obviously if we were not in open session I would be happy to answer your questions about individual refugee cases. We would be happy to do that in another forum with members of this committee.

Mr. ROYCE. Excellent. I will look forward to that. In the meantime, I think we have got about 2 minutes left, Mr. Chairman, so I will just yield back to you.

Mr. FALEOMAVAEGA. Thank you, and I appreciate the gentleman returning to raise these questions with Mr. Lefkowitz, and I do have a couple more questions I wanted to raise with you, Mr. Lefkowitz. If the media reports are accurate, it is my understanding that Secretary Rice has had to go through several layers or loopholes in getting this agreement and endorsement by President Bush, and one of the indicators was our former Ambassador to the United Nations, Mr. Bolton, was very much against the proposed February 13 agreement, and I was wondering if you have any opinions on what seems to be the problem. There is a major breakthrough after all these years in negotiating the Six-Party Talks with North Korea.

Mr. LEFKOWITZ. Well, Mr. Chairman, I would not necessarily believe everything you read in the newspaper. I do not think the Secretary has to go through any layers to reach the President and have a dialogue with the President. I worked closely with both of them in the White House for a number of years, and they have a very direct relationship. I also have great admiration for Ambassador Bolton. He is a very close friend and someone I admire.

I think with respect to the situation here in North Korea, we made a great deal of progress recently. It may not turn out to be a success. Those are the chances you always take in diplomacy but I think the upside here is very significant, very tangible, and most importantly will be potentially very immediate. We will start to see some real progress. If we do not, I do not think we are any worse off than had we not taken this chance and taken this step. So I think I probably come out on the much more optimistic side right now although cautiously optimistic than my friend Ambassador Bolton.

Mr. FALEOMAVAEGA. Some of my colleagues have raised questions and concerns about the Kaesong project and you as well. Well you might be interested to know that myself and Congressman McDermott and Congressman Mike Honda are the first Members of Congress that went to Kaesong, and my understanding this was the ancient capital of the Korean people this Kaesong. I come away impressed by the fact that this was a form of as a way I suppose that South Korea, the private sector through its businesses have taken the initiative to establish factories or a manufacturing base and allowing the people of North Korea to be employed and to work.

And of course the question that comes along with it: Does the money really go to them rather than to the government? And that seems to be the concern but looking at the bigger picture, the fact of just being exposed to something like this where you see how you say the richness or the amount of development that has come through South Korea and the people, how much they develop in one of the big economic powers of the world, at least in that region of the world.

I kind of like to think more positively about the Kaesong project but I think I hear some views otherwise, and I would like to hear

a little more specific, and I sincerely hope that you will have a chance to visit Kaesong.

Mr. LEFKOWITZ. I certainly hope I have the opportunity to go in the near future, and I hope that I am very pleasantly surprised at what I see. I also have made clear that I have no doubt that the North Korean workers who are working in Kaesong may well be much better off than the North Korean workers who are not working in Kaesong.

The question though is twofold. It is: Number one, are those workers nonetheless being exploited, and if so is the Government of South Korea complicit in that activity, and most importantly, if the Government of South Korea has so much leverage here in North Korea by virtue of its enormous capital investment and infusion, are they utilizing that influence in the best possible way?

I think that Kaesong could turn out to be an enormous game changer. It could really help open up North Korea, and if it expands and it expands consistent with worker protection and worker freedom and actual payments that go directly to the workers it could turn out to be an enormous positive but I think the jury is really out, and again because the North Koreans are running it I think we have to be very skeptical until we are proved otherwise.

Mr. FALOMAVAEGA. What do you see as a potential in terms of one day—I am not talking about ideology—or somewhere along the line that there may be a possibility of unification between North and South Korea under a different system where the people will be paramount in terms of them making the decisions rather than being manipulated by leaders?

Mr. LEFKOWITZ. I think our wish is obviously for a peaceful peninsula first and foremost, and for a free peninsula where the people on the Korean peninsula can choose their own form of government and choose their own leadership. The example that South Korea has set by being a vibrant market-based democracy is a wonderful example. They have achieved enormous success. It is utterly tragic that their brethren just to the north are living under the most repressive dictatorship in the world, and our hope is that the peninsula will at some point soon be reunited in a peaceful way.

Mr. FALOMAVAEGA. As much as both Iraq and North Korea seems to be making the headlines, just about every day with a different set of issues and a different set of problems, but I noted with interest and I do not know if the media reports are accurate, that currently our administration is in the process of bringing in some six to 7,000 refugees from Iraq. Now compare that to the six as you had indicated earlier involving North Korea. What would be your suggestion on how maybe we can improve the numbers given the fact that if we are doing this for Iraq why are we not doing similar or at least raise the ante to do the same for a more dire circumstance, living conditions and the problems affecting the people of North Korea?

Mr. LEFKOWITZ. Well as I indicated in my testimony, the 30 refugees we have received in the United States from North Korea is just a start, and we have no limitation on the number of North Korean refugees that we will accept. Obviously it is a delicate issue to work with the countries in the region to facilitate the movement

of these refugees in large part because of China's policies in contravention of its international obligation.

So I think the first place to start is to work with the Chinese so that they will acknowledge and abide by their international obligations, and that is an area where the United Nations can certainly play an important role.

Mr. FALEOMAVAEGA. I am also curious what the South Korean Government should do with reference to refugees. Should they not also play a very substantial part in working cooperatively with our Government in receiving more than six refugees?

Mr. LEFKOWITZ. Well the South Korean Government does work closely with us in terms of facilitating the refugee flow and helping us absorb the refugees who we are trying to absorb now, and in a number of instances—particularly in the last year—we worked very cooperatively with the Government of South Korea in this area.

Mr. FALEOMAVAEGA. You had indicated earlier also about the importance of the media, like Radio Free Asia. This is something that I am seriously wanting to make sure that if we put some form of amendments or even legislation that will enhance our ability to reach out if this is like what we have done to Radio Free Europe for all these years and that really made a tremendous difference to the people living in the former Soviet Union. How extensive do you think we should proceed in this in enhancing our ability to provide the media like Radio Free Asia and other media outlets to educate and to inform the North Korean people?

Mr. LEFKOWITZ. I think we should be very aggressive about this. We have obviously requested budgetary authority from Congress to proceed this coming year to significantly ramp up our broadcasting efforts. It is an area where other countries I think can also be encouraged to participate.

We are not the only country that can broadcast into North Korea and help the North Korean people gain access to information about the outside world, but I think fundamentally one of the major differences between the living conditions of the people in North Korea now and the living conditions of those behind the Iron Curtain 20 years ago is that the people of North Korea by and large do not have any access to information from the outside world, and we need to help to change that.

Mr. FALEOMAVAEGA. One of the issues currently pending in our negotiations for free trade agreement with South Korea is the Kaesong project. As you may have heard some of my colleagues are totally against any notion of any products produced under the Kaesong project to be exported to the United States. Your take on that?

Mr. LEFKOWITZ. I will leave it to my colleague, the trade representative, to articulate a formal policy statement. I certainly am sympathetic to some of the concerns that have been raised about the Kaesong project, and as I have said I am withholding my approval for that project until I have a chance to take a look and see that it is creating more benefits than negatives.

Mr. FALEOMAVAEGA. I want to continue keeping our channels of communication open with you, Mr. Lefkowitz, and I sincerely wish you all the best and success in your efforts in bringing about this

issue of human rights to the North Korean people, and with all the suggestions that you have pointed out in our hearing this afternoon, please I want to assure you my door is always open, and I want to continue working closely with you and your office. Hopefully, that we will bring about a better solution to these various issues. I thank you again, and hopefully we will have another round and hearing on this issue.

Mr. LEFKOWITZ. I look forward to it. Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. Thank you. The hearing is adjourned.

[Whereupon, at 3:55 p.m., the subcommittee was adjourned.]

